

Ericsson Ref. No. P12553-US1
Application Serial No. 09/767,461

REMARKS

The undersigned agent first wishes to thank Examiner Appiah for granting undersigned the telephonic interview on June 28, 2005. During that interview, the undersigned agent and Examiner Appiah discussed the § 103 rejection of claims 70, 84, and 106 over Beason in view Pihl, and the § 103 rejection of claim 92 over Pihl in view of Honda. Upon the conclusion of the interview, the Examiner agreed to withdraw the § 103 rejections in light of the references' failure to teach or suggest, alone or in combination, the claimed invention.

Regarding the § 103 rejections to claims 70, 84, and 106, both the undersigned agent and the Examiner agreed that Beason failed to teach or suggest that a mobile terminal generated GPS assistance data for transmission to a remote mobile terminal as recited in the claimed invention. However, whether Pihl '458 disclosed this aspect was at issue. The undersigned agent noted that Pihl '458 is fundamentally directed to a point-to-point signaling protocol to deliver GPS assistance data from the network to a mobile station. Pihl '458 never suggests that the mobile terminal generates the GPS assistance data for transmission to a remote mobile terminal. Rather, Pihl '458 explicitly reveals that a network entity generates and stored the GPS assistance data. As noted by the undersigned agent during the interview, column 3 of Pihl, lines 24-35, evidences this fact. In addition, the combination of Beason and Pihl '458 was also discussed. Specifically, undersigned noted that even if the references could be combined, the result would still not be Applicants' invention. The Examiner agreed.

Regarding claim 92, the undersigned agent noted that the Pihl '074 is the parent application of the Pihl '458 reference. As such, Pihl '074 has the same deficiencies as noted above. The undersigned agent also noted that the patent to Honda also failed to teach or suggest that a mobile terminal generates GPS assistance data for transmission to a remote mobile terminal. Accordingly, since both Pihl '074 and Honda fail to teach or suggest that a mobile terminal generates GPS assistance data for transmission to a remote mobile terminal, they cannot be combined to render claim 92 obvious under § 103.

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In light of the above, none of the references teach or suggest, alone or in combination, Applicants' claimed invention. Therefore, Applicants respectfully request allowance of all pending claims.

Finally, the undersigned agent respectfully reiterates his understanding that the Examiner will withdraw the §103 rejections of February 8, 2005, and issue a Notice of Allowance or a non-final Office action, as appropriate. Because of this understanding, Applicants have deferred appealing the rejections. Therefore, if this understanding is incorrect, the Examiner is respectfully requested to notify the undersigned agent, so that the costs of filing a Notice of Appeal may be minimized.

Respectfully submitted,

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